

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN BOB DEPRATU**, on March 19, 2003 at 8:02 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bob DePratu, Chairman (R)
Sen. Bob Story Jr., Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. John C. Bohlinger (R)
Sen. Jon Ellingson (D)
Sen. Jim Elliott (D)
Sen. Bill Glaser (R)
Sen. Walter McNutt (R)
Sen. Mike Taylor (R)
Sen. Ken Toole (D)

Members Excused: Sen. Dan Harrington (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Shirley Herrin, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HJ 34, 3/13/2003; HB 627, 2/27/2003
Executive Action: HJ 34
SB 289, SB 309 and SB 371 were all
Indefinitely Postponed
HB 627, SB 453, HB 441

HEARING ON HJ 34

Opening Statement by Sponsor:

8:03 **REP. JOE BALLYEAT, HD 32, Bozeman** "Urge Congress to
 restore sales tax deduction on income tax".
 EXHIBIT(tas58a01) EXHIBIT(tas58a02)

Proponents' Testimony: None

Opponents' Testimony: None

Questions from Committee Members and Responses:

8:11 Begin
8:17 Ended
6 min Time elapsed.

Closing by Sponsor:

8:17 **REP. BALLYEAT** closed on HJ 34

EXECUTIVE ACTION ON HJ 34

8:18 **Motion/Vote:** **SEN. JOHN BOHLINGER** moved that HJ 34 BE
 CONCURRED IN. Motion carried unanimously.

EXECUTIVE ACTION ON SB 289

8:19 **Motion:** **SEN. JON ELLINGSON** moved that SB 289 DO PASS.
 He then moved an amendment SB028901.alh
 EXHIBIT(tas58a03). **SEN. ELLINGSON** addressed the
 amendment.

Discussion:

8:25 Begin
8:33 Ended
8 min Time elapsed.

8:34 **Vote:** Motion on the amendment to SB 289 carried 6-5
 with BLACK, DEPRATU, ELLIOTT, MCNUTT, and STORY voting
 no.

8:35 **Motion:** **SEN. ELLINGSON** moved that SB 289 DO PASS AS
 AMENDED.

Discussion:

8:35 Begin
8:43 Ended

8 min Time elapsed.

8:45 Motion/Vote: SEN. ELLINGSON'S motion that SB 289 DO PASS AS AMENDED failed 4-7 with BLACK, DEPRATU, ELLIOTT, GLASER, MCNUTT, STORY, and TAYLOR voting no.

8:48 Motion/Vote: SEN. STORY moved that SB 289 BE INDEFINITELY POSTPONED AND THE VOTE REVERSED. Motion carried 7-4 with BOHLINGER, ELLINGSON, HARRINGTON (by proxy), and TOOLE voting no. Roll Call Vote No. 1.

EXECUTIVE ACTION ON SB 309

8:50 Motion: SEN. BOHLINGER moved that SB 309 BE INDEFINITELY POSTPONED.

Discussion:

8:51 Begin
SEN. BOHLINGER withdrew his motion that SB 309 BE INDEFINITELY POSTPONED.

8:52 Motion/Vote: SEN. BOHLINGER moved that SB 309 DO PASS. Motion failed 4-7 with BLACK, DEPRATU, ELLIOTT, GLASER, MCNUTT, STORY, and TAYLOR voting no. Roll Call Vote No. 2. HARRINGTON voted no by proxy.

8:54 Motion/Vote: SEN. STORY moved that SB 309 BE INDEFINITELY POSTPONED AND THE VOTE REVERSED. Motion carried 7-4 with BOHLINGER, ELLINGSON, and TOOLE voting no. HARRINGTON voted no by proxy.

EXECUTIVE ACTION ON SB 371

8:55 Motion/Vote: SEN. STORY moved that SB 371 BE INDEFINITELY POSTPONED. Motion carried unanimously with HARRINGTON voting by proxy.

EXECUTIVE ACTION ON SB 453

8:56 SEN. JIM ELLIOTT requested CHAIRMAN DEPRATU temporary postpone consideration until after the hearing on HB 627.

HEARING ON HB 627

Opening Statement by Sponsor:

8:56 **REP. MONICA LINDEEN, HD 7, Huntley** "Revise property tax sale law to allow certain private costs."

Proponents' Testimony:

8:58 Tammy Bowling, Worden, Deputy Yellowstone County Treasurer

Opponents' Testimony: None

Questions from Committee Members and Responses:

9:04 Begin
9:09 Ended
5 min Time elapsed.

Closing by Sponsor:

9:09 **REP. LINDEEN** closed on HB 627.

EXECUTIVE ACTION ON HB 627

9:10 **Motion/Vote:** **SEN. MCNUTT** moved that HB 627 BE CONCURRED IN. Motion carried unanimously with HARRINGTON voting by proxy.

EXECUTIVE ACTION ON SB 453

9:11 **CHAIRMAN DEPRATU** reconvened action on SB 453. **Motion:**
SEN. KEN TOOLE moved that SB 453 DO PASS.

9:12 **SEN. TOOLE** questioned Ken Morrison from PPL MT

9:13 **Vote:** Motion carried 10-1 with STORY voting no. Roll Call Vote No. 3.

EXECUTIVE ACTION ON SB 462

9:14 **Motion:** **SEN. ELLIOTT** moved that SB 462 DO PASS. **SEN. DEPRATU** moved an amendment SB046201.alh
EXHIBIT (tas58a04) .

Vote: The motion on the amendments carried unanimously.

9:16 **Motion:** **SEN. DEPRATU** moved that SB 462 DO PASS AS AMENDED.

Discussion:

9:16 Begin
 9:25 **SEN. DEPRATU** withdrew his motion to do Executive Action on SB 462 to allow the committee and Department of Revenue to work on amendments.

EXECUTIVE ACTION ON SB 463

9:30 **Motion:** **SEN. JERRY BLACK** moved that SB 463 DO PASS. He then moved the amendments SB046301.akj
EXHIBIT (tas58a05)

Discussion:

9:33 **SEN. BLACK** said he wanted to hold the bill in order to request a new fiscal note.

9:34 **Vote:** Motion on the amendment carried 10-1 with TOOLE voting no and HARRINGTON voting by proxy.

EXECUTIVE ACTION ON HB 441

9:36 **Motion/Vote:** **SEN. STORY** moved that HB 441 BE CONCURRED IN. Motion carried unanimously with HARRINGTON voting by proxy.

EXECUTIVE ACTION ON HB 642

9:38 **Motion:** **SEN. BLACK** moved that HB 642 BE CONCURRED IN. He then moved the amendments HB064201.alh
EXHIBIT (tas58a06). Lee Heiman addressed the amendments. **Vote:** The Motion on the amendments carried unanimously with HARRINGTON voting by proxy.

9:41 **SEN. ELLIOTT** moved amendments HB064202.alh
EXHIBIT (tas58a07)
 Lee Heiman addressed the amendments.

Discussion:

9:42 Begin
 9:45 **SEN. ELLIOTT** said he would like to request the PSC provide further information.
SEN. STORY said he would like to postpone executive action until Thursday.

CHAIRMAN DEPRATU announced they would take Executive Action on SB 433, SB 468 and HB 642 plus the bills they hear tomorrow. He said he wanted to keep Monday open for Sub-Committees to meet.

9:47 **SEN. GLASER** asked if they were doing a Committee bill on sales tax.

9:48 **SEN. TAYLOR** moved to have Lee Heiman draft a General Sales Tax bill. The motion failed 8-3 with **ELLIOTT**, **TOOLE** and **HARRINGTON** (by proxy) voting no. **MCNUTT** voted by proxy.

CHAIRMAN DEPRATU announced when the sub-committees would meet.

ADJOURNMENT

Adjournment: 9:54 A.M.

SEN. BOB DEPRATU, Chairman

SHIRLEY HERRIN, Secretary

BD/SH

EXHIBIT (tas58aad)